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May 26, 2025

VIA ECF

Hon. Ona T. Wang
United States Magistrate Judge
Southern District of New York

Re: *In Re: OpenAI, Inc., Copyright Infringement Litigation,*
No. 1:25-md-3143, This Document Relates to: The New York Times Company v.
Microsoft Corporation, et al., No. 1:23-cv-11195

Dear Magistrate Judge Wang:

In its Supplemental Opposition (Doc. 64-1) to News Plaintiffs' Motion Regarding Output Logs ("Supplemental Opposition") filed this past Friday night, OpenAI discussed at length what it described as a proposal it had made to News Plaintiffs regarding going-forward preservation issues. Supplemental Opposition at 4-5 and Declaration of Elana Nightingale Dawson ("Dawson Declaration") (Doc. 68) at ¶5. OpenAI referred to the News Plaintiffs' response to OpenAI's proposal, but did not describe or attach it, even though the News Plaintiffs' responsive email was sent six hours before OpenAI's filing. OpenAI said only "News Plaintiffs did not agree to the foregoing proposal." (Dawson Decl. at ¶5). Attached as Exhibit A is a copy of that email correspondence.

May 26, 2025

Respectfully submitted,

/s/ Steven Lieberman

Steven Lieberman

Rothwell, Figg, Ernst & Manbeck, P.C.

/s/ Ian B. Crosby

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/s/ Matthew Topic

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cc: All Counsel of Record (via ECF)